

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

ROBERT D. KAHRE, § No. 2:05-CR-121-DAE  
§  
Petitioner, §  
§  
vs. §  
§  
UNITED STATES, §  
§  
Respondent. §

ORDER REFERRING APPOINTMENT OF COUNSEL TO MAGISTRATE  
JUDGE

On February 2, 2016, the Court determined that a hearing would be held on Petitioner's Motion to Vacate, Set Aside, or Correct Sentence, pursuant to 28 U.S.C. § 2255 (Dkt. # 2892).

Pursuant to Rule 8(c) of the Federal Rules Governing § 2255 Cases, “[i]f an evidentiary hearing is warranted, the judge must appoint an attorney to represent a moving party who qualifies to have counsel appointed under 18 U.S.C. § 3006A.” Section 3006A concerns representation for indigent defendants who are “financially unable to obtain adequate representation.” 18 U.S.C. § 3006A. The record in Petitioner’s case indicates that he may be indigent. The appointment of counsel in a § 2255 case may be referred to a Magistrate Judge in accordance with Rule 8(b) of the Rules Governing § 2255 Cases.

It is therefore **ORDERED** that the determination and appointment of counsel in accordance with Rule 8(c) of the Federal Rules Governing § 2255 Cases is hereby **REFERRED** to United States Magistrate Judge George W. Foley.

**IT IS SO ORDERED.**

**DATED:** Las Vegas, Nevada, February 2, 2016.



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DAVID ALAN EZRA  
UNITED STATES DISTRICT JUDGE